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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Austria, Belgium*, Bulgaria, Canada, Cyprus*, Czech Republic, Denmark, Finland*, Germany, Greece*, Hungary*, Italy, Latvia*, Norway*, Poland*, Republic of Korea, Romania*, San Marino*, Slovenia*, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland, and United States of America: draft resolution

1997/... Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

The Commission on Human Rights,

Recalling all relevant resolutions of the Commission, the General Assembly and the Security Council on this subject, in particular its own resolutions 1992/S-1/1 of 14 August 1992, 1995/35 of 3 March 1995, 1995/89 of 8 March 1995 and 1996/71 of 23 April 1996, General Assembly resolution 51/116 of 12 December 1996 and Security Council resolutions 1031 (1995) of 15 December 1995 and 1035 (1995) of 21 December 1995, 1079 (1996) of 15 November and 1080 (1996) of 13 December 1996,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Expressing its full support for the General Framework for Peace in Bosnia and Herzegovina (the "Framework Agreement") and the annexes thereto, initialled in Dayton, Ohio, United States of America on 21 November 1995 and signed in Paris on 14 December 1995 (together, the "Peace Agreement"), which, inter alia, committed the parties in Bosnia and Herzegovina to respect fully human rights, and for the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995, and for Security Council resolution 1037 (1996) of 15 January 1996 which establishes the United Nations Transitional Authority in Eastern Slavonia, Baranja and Western Slavonia,

Welcoming the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular article 7 thereof which, inter alia, ensures conditions for the return of refugees and displaced persons and the return of their property or a just compensation, and in that context stressing the positive impact of mutual recognition agreements among successor States of the former Yugoslavia,

Reaffirming the territorial integrity of all States in the region, within their internationally recognized borders,

I

Introduction

1. Stresses the crucial role that human rights questions play in the success of the Peace Agreement, and underlines the obligations of the parties under the Framework Agreement to secure all persons within their jurisdiction the highest level of international norms and standards of human rights and fundamental freedoms;

2. Commends the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro) - together, the countries of the mandate - for her efforts, welcomes the reports of the Special Rapporteur and calls on the Governments of and authorities in these States to continue to cooperate with and support the work of the Special Rapporteur, and to give immediate effect to her recommendations, both present and past, and to provide her on a regular basis with information about the actions they are undertaking to implement her recommendations;

3. Commends the High Commissioner for Human Rights for his activities in the implementation of the Peace Agreement, in particular by developing and conducting training for international monitors including for the Organization for Security and Cooperation in Europe and United Nations International Police Task Force missions; making available to the High Representative human rights experts; continuing to support the work of the Special Rapporteur and the expert in charge of the special process dealing with missing persons, participating actively in the International Commission on Missing Persons in the Former Yugoslavia and calls upon the United Nations and all States to support fully the High Commissioner for Human Rights in carrying out his activities;

4 Welcomes the efforts of the Organization for Security and Cooperation in Europe, the Council of Europe, the Human Rights Task Force and the Human Rights Coordination Centre of the Office of the High Representative, the European Union, the International Police Task Force and the United Nations High Commissioner for Human Rights in monitoring and strengthening the respect for human rights and fundamental freedoms in Bosnia and Herzegovina and the region;

5. Commends the efforts of host countries to offer shelter and provide refugees with humanitarian and other assistance;

II

Violations of human rights

6. Reaffirms in the strongest terms its previous condemnations of past violations of human rights in the countries of the mandate of the Special Rapporteur in particular as stated in its resolution 1996/71;

7. Expresses its serious concern about continuing human rights violations within the countries of the mandate and the delays in fully implementing the human rights provisions of the Peace Agreement;

8. Condemns in the strongest terms the continued forcible expulsion of individuals from their homes in Bosnia and Herzegovina and the practice of destroying the homes of those previously forcibly expelled, and calls for the immediate arrest and punishment of individuals engaged in these actions;

9. Condemns the continuing restrictions on freedom of movement between the Republika Srpska and the Federation of Bosnia and Herzegovina and within the Federation of Bosnia and Herzegovina and within the Republika Srpska;

10. Expresses its continuing concern for women and children, especially in Bosnia and Herzegovina, who were victims of rape used as a weapon of war, and demands that the perpetrators of rape be brought to justice and that the victims and witnesses receive adequate assistance and protection;

III

General obligations

11. Urges the parties and Member States to take into account the Special Rapporteur's recommendation and the declaration by the international community at the Peace Implementation Conference held in London on 4 and 5 December 1996 that, without consistent progress in implementing internationally accepted standards of human rights in Bosnia and Herzegovina, the international community will not maintain its level of commitment of human and financial resources for reconstruction;

12. Underlines in this context that, without the compliance and active participation of all the authorities in Bosnia and Herzegovina in rebuilding a civil society, and without their making progress towards political reconciliation, they cannot expect the international community and major donors to continue shouldering the political, military and economic burden of the implementation and reconstruction efforts;

13. Calls upon in this respect, the countries of the mandate, as well as the authorities of the Federation of Bosnia and Herzegovina and the Republika Srpska:

(a) To implement fully the commitments made in the Peace Agreement to protect human rights, and also insists that the parties act to promote and protect democratic institutions of government at all levels in their respective countries, to ensure freedom of expression and of the media, to allow and encourage freedom of association, including with respect to political parties, and to ensure freedom of movement;

(b) To cooperate fully with the international mechanisms which have mandates involving human rights, including the High Representative, the International Police Task Force, the High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the European Commission Monitoring Mission, the Commission of Enquiry and other international, regional as well as non-governmental organizations;

(c) To cooperate effectively with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Former Yugoslavia (the Tribunal), established pursuant to Security Council resolution 808 (1993);

(d) To ensure full and free access to their territories and to relevant facilities for all institutions and organizations concerned with the implementation of the present resolution, including non-governmental organizations;

(e) To facilitate, with the assistance of the international community, in particular the Office of the United Nations High Commissioner for Refugees, the early, safe and orderly return of refugees and displaced persons to their homes of origin or, in exceptional cases, to other places of their choice, honouring fully the commitments undertaken under the Peace Agreement in regard to human rights and refugee issues;

(f) To take immediate and effective steps to build confidence among people in order to foster civil society and to prevent new mass exoduses of populations;

(g) To implement the commitments made in the Joint Statement of the Bosnia and Herzegovina Ministerial Council, the Bosnia and Herzegovina Federal Government and the Republika Srpska Government issued in Geneva on 21 March 1997 on the repatriation of refugees and the return of and the solution to the problem of displaced persons within Bosnia and Herzegovina, in both its entities;

(h) Specifically the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina to speed up the process of normalization of their relations, in accordance with the conclusions of the high-level meeting held in Paris on 3 October 1996, and to refrain from any actions that may undermine the full implementation of the Peace Agreement;

14. Appeals to the international community to support such efforts and, in particular, the promotion of democratic institutions in the countries of the mandate, inter alia by improving the administration of justice and the functioning of free media, and by fostering a culture of respect for human rights;

IV

International Tribunal

15. Calls upon all States and all parties to the Peace Agreement to meet their obligations to cooperate fully with the Tribunal, and urges all States and the Secretary-General to support the Tribunal to the fullest extent possible, in particular by helping to ensure that persons indicted by the Tribunal stand trial before it, and, as a matter of urgency, by continuing to make available to the Tribunal adequate resources to aid in the fulfilment of its mandate;

16. Also calls upon the authorities of Bosnia and Herzegovina, and in particular the authorities of the Republika Srpska, to implement immediately the "Rules of the Road" agreed in Rome on 18 February 1996 by arresting or detaining only those war crime suspects sought by the Tribunal, by notification after arrest and prompt release if the person is not sought by the Tribunal, by submitting all cases involving suspected war crimes to the Tribunal for review prior to prosecution by national courts and by facilitating access to detainees by the Tribunal and other monitors and representatives of non-governmental organizations;

17. Urgently calls upon competent authorities in Bosnia and Herzegovina, including those of the Federation and in particular in the Republika Srpska, and the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to apprehend and surrender for prosecution, as required by Security Council resolution 827 and the statement by the President of the Security Council on 8 May 1996, all persons indicted by the International Criminal Tribunal;

18. Notes that the large majority of those indicted by the Tribunal, including Radovan Karadzic and Ratko Mladic, according to the Special Rapporteur are living in the Republika Srpska, and deplores the failure of the authorities there to act;

19. Calls upon the international community to give the Tribunal every appropriate help to bring into custody suspects indicted by it;

V

Bosnia and Herzegovina

20. Takes note of the successful holding of elections on 14 September 1996 under the supervision of the Organization for Security and Cooperation in Europe, with the support of the European Union and other

organizations, and stresses in this regard that the primary responsibility for laying the foundation for representative government and for ensuring the progressive achievement of democratic goals and building a tolerant, multi-ethnic society lies with the people of the State of Bosnia and Herzegovina, in particular through the central Government and the governments of the entities as well as through, inter alia, religious communities, humanitarian organizations and non-governmental organizations;

21. Welcomes the activities the Commission on Human Rights for Bosnia and Herzegovina has undertaken, despite the lack of funding therefor, and underlines the importance of its intensifying its activities concerning alleged or apparent violations of human rights, and alleged or apparent discrimination of any kind;

22. Calls upon all authorities in Bosnia and Herzegovina:

(a) To comply with the human rights provisions of the Constitution of Bosnia and Herzegovina;

(b) To prevent human rights violations and ensure that persons under their control who commit violations are held accountable, especially violations described in the report of the Special Rapporteur, such as arbitrary detention practised by all parties and restrictions on media freedom;

(c) To ensure that local police forces fully respect and protect all human rights;

(d) To ensure full freedom of movement within, and between, the territories of both entities, as required by the Peace Agreement;

(e) To allow the return of refugees and displaced persons to their places of origin and to cease immediately actions that undermine the right to return, and to take immediate steps to repeal legislation which infringes on the right to return, including laws relating to "abandoned" property, to end illegal evictions of persons from their homes and to reinstate in their homes persons who have been evicted in violation of their rights;

(f) In particular those of the Republika Srpska and the Federation, to implement fully existing laws providing amnesty for crimes related to the conflict, other than serious violations of international humanitarian law, and, in the case of the Republika Srpska, to amend immediately its law to provide amnesty for persons who avoided conscription or deserted, as required by the Peace Agreement;

(g) To abide by the decisions of the Brcko Arbitrators and the Chairman's Conclusions of the Brcko Implementation Conference held in Vienna, on 7 March 1996, and to cooperate fully with the Office of the High Representative, the newly appointed Deputy High Representative for Brcko and other responsible actors in all aspects of its implementation;

(h) In an effort to strengthen a free press, to make publications and broadcasts from both sides easily available in each entity, and to develop where necessary an appropriate legislative framework;

(i) To cooperate fully with the Commission on Human Rights for Bosnia and Herzegovina - the Ombudsperson and the Human Rights Chamber - created under annex 6 to the Peace Agreement, in particular by establishing procedures for assisting with investigations by, and for responding to, their requests and reports, and providing for the immediate and effective implementation and enforcement of their decisions;

(j) To create the necessary conditions for free and fair municipal elections to be held under the supervision of the Organization for Security and Cooperation in Europe;

23. Calls upon relevant cantonal governments and local authorities to take the necessary steps to end beatings, unlawful evictions and other forms of harassment, particularly in multi-ethnic areas such as Mostar and Stolac, complying fully with the demands of the Security Council contained in the statement of its President of 19 March 1997, and to prosecute to the full extent of the law before an independent and impartial tribunal those identified in the report of the International Police Task Force concerning the incidents in Mostar on 10 February 1997;

24. Calls upon authorities in the Republika Srpska to establish without delay institutions for the protection of human rights, in particular a human rights ombudsman;

25. Calls upon the international community:

(a) To help implement the decision of the Security Council to support the authority of the International Police Task Force to investigate human rights abuses committed by law enforcement personnel by, inter alia, providing the necessary resources, equipment and training, and to support also the proposal by the High Commissioner for Human Rights to continue and expand his training for the International Police Task Force;

(b) To help the parties develop law enforcement structures that are competent and dedicated to complying with the "Internationally accepted principles of policing in a democratic state" of the International Police Task Force;

(c) To continue to work constructively so that persons who have left their territory can return in safety, including those who have been accorded temporary protection by third countries;

(d) To help ensure that the Constitutional Court, the Commission on Human Rights for Bosnia and Herzegovina and its two parts, the Office of the Ombudsperson and the Human Rights Chamber, are fully supported and their decisions respected;

26. Encourages the international community to respond favourably to appeals for voluntary contributions for the benefit of the Commission on Human Rights for Bosnia and Herzegovina, while calling upon the Government of Bosnia and Herzegovina to fulfil its obligations in this regard, and for the Commission for Real Property Claims of Refugees and Displaced Persons for Bosnia and Herzegovina, the International Commission on Missing Persons in the Former Yugoslavia, the United Nations High Commissioner for Human Rights/Centre for Human Rights and other institutions of reconciliation, democracy and justice in the region;

VI

Republic of Croatia

27. Calls upon the Government of the Republic of Croatia to undertake greater efforts to adhere to democratic principles and the highest level of international norms and standards of human rights and fundamental freedoms and to respect the protection of free and independent media, and:

(a) To continue to cooperate fully with the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium to ensure that the reintegration of Eastern Slavonia occurs peacefully and with respect for the human rights of all residents and returning displaced persons and refugees, including their property rights, their right to remain, leave or return in safety and dignity, and to prevent new flows of refugees from Eastern Slavonia, and to enable the restoration of the multi-ethnic character of Eastern Slavonia;

(b) To allow the expeditious return to their homes in all regions, in particular to the Krajina, of all refugees and displaced persons, to use all available means to secure their safety and human rights and to allow continued access to this population by humanitarian organizations;

(c) Within the procedures established in Rome on 18 February 1996 concerning the arrest, detention and trial of persons for violations of international humanitarian law (the "Rules of the Road"), to pursue prosecutions against those suspected of past violations of international humanitarian law and human rights, while ensuring that the rights to a fair trial and to legal representation are afforded to all persons suspected of such crimes;

(d) To prevent harassment, looting and physical attacks against Croatian Serbs, in particular involvement by Croatian military and police officials, and to investigate and arrest those responsible for acts of violence and intimidation aimed at driving people away;

(e) To guarantee freedom of the press, including independent television, radio and print media, in all parts of the country;

(f) To respect the right of non-governmental organizations to operate without arbitrary restrictions;

(g) To fulfil the rights and guarantees pledged in the letter of 13 January 1997 (S/1997/27) from the Government of Croatia including, inter alia, the pledge to guarantee the local Serb community representation and a voice at various levels of local, regional and national government and to provide the local Serb population with the protection of their legal and civil rights under Croatian law, and to this end to fulfil their obligations regarding the completion of the issuance of citizenship and identity documents and relevant technical documents;

(h) To implement the Amnesty Law enacted on 25 September 1996;

28. Calls upon the international community:

(a) To support the proposal of the High Commissioner for Human Rights to provide human rights guidance and counseling to the civilian police contingent of United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium remaining in the field in 1997 and also to support

the involvement of the High Commissioner for Human Rights in human rights monitoring in the region of Eastern Slavonia, in close cooperation with other international organizations and in close consultation with the Government of Croatia;

(b) To provide for a continued international presence, as recommended by the Special Rapporteur, through support of initiatives advanced by the High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the Commission of Enquiry, the European Community Monitoring Mission and other international organizations;

(c) To support fully the plans of United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium to organize the return in dignity and safety of Croatian and other non-Serb refugees who were forcibly expelled from their homes, and commends in this regard the so-called sponsorship programme of United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium;

VII

Federal Republic of Yugoslavia (Serbia and Montenegro)

29. Calls upon the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro):

(a) To undertake substantially greater efforts to institute and to implement fully democratic norms, especially in regard to respect for the principle of free and fair elections and protection of free and independent media, and full respect for human rights and fundamental freedoms;

(b) To expand opportunities for the independent media, institute non-partisan management of the state-owned media and cease efforts to restrict press and broadcast journalism;

(c) To cease torture and ill-treatment of persons in detention as described in the report of the Special Rapporteur, and to bring those responsible to justice;

(d) To revoke any discriminatory legislation, to apply all other legislation without discrimination and to take urgent action to prevent arbitrary evictions and dismissals and discrimination against any ethnic or national, religious or linguistic group;

(e) To respect the rights of persons belonging to minority groups, especially in Sandjak and Vojvodina, and of persons belonging to the Bulgarian and Croatian minorities;

(f) To take immediate action, in view of the deteriorating situation in Kosovo and the danger of escalating violence there, to put an end to the continuing repression of and prevent violence against the ethnic Albanian population, including acts of harassment, beatings, torture, warrantless searches, arbitrary detention, unfair trials, and arbitrary, unjustified evictions and dismissals;

(g) To release all political detainees, allow the return in safety and dignity of ethnic Albanian refugees to Kosovo and respect fully all human rights and fundamental freedoms, including freedom of the press, freedom of movement and freedom from discrimination in the field of education and information;

(h) To allow the establishment of democratic institutions in Kosovo and the right to seek, receive and impart information and ideas through any media, and in particular to improve the situation of ethnic Albanian women and children, and to allow an international presence for monitoring of the human rights situation;

(i) Following the welcome establishment of an office of the High Commissioner for Human Rights in Belgrade and continued cooperation with the Special Rapporteur, to broaden their cooperation with institutions concerned with human rights, in particular by allowing the High Commissioner for Human Rights and the European Union to establish a presence in Pristina (Kosovo), and to allow visits by the personal representative of the Chairman in Office of the Organization for Security and Cooperation in Europe in Kosovo;

30. Calls once again upon all parties in the Federal Republic of Yugoslavia (Serbia and Montenegro) to engage in a substantive dialogue, to act with the utmost restraint and with full respect for human rights, and to refrain from acts of violence, and calls especially upon the Federal Republic of Yugoslavia (Serbia and Montenegro) to pursue dialogue with representatives of ethnic Albanians in Kosovo;

31. Emphasizes that improvements in the promotion and protection of human rights and political freedoms in Kosovo and the rest of its territory as well as cooperation with the Tribunal will assist the Federal Republic of Yugoslavia (Serbia and Montenegro) to establish the full range of relations with the international community;

32. Calls upon the international community:

(a) To establish appropriate safeguards to ensure the security and fair treatment upon return of those who sought temporary protection and asylum, including appropriate measures by Governments, such as legal guarantees and follow-up mechanisms, to allow these persons to return to their homes in the Federal Republic of Yugoslavia in safety and dignity;

(b) To continue to support existing national democratic forces and non-governmental organizations in their efforts to build a civil society and achieve multi-party democracy in the Federal Republic of Yugoslavia (Serbia and Montenegro);

(c) To support efforts by the Office of the United Nations High Commissioner for Refugees by encouraging and assisting the voluntary return in safety to Croatia of ethnic Serb refugees in the Federal Republic of Yugoslavia (Serbia and Montenegro) who were forcibly expelled or otherwise fled from their homes;

VIII

Missing persons

33. Thanks the expert member of the Working Group on Enforced or Involuntary Disappearances for his report (E/CN.4/1997/55) on the special process on missing persons in the territory of the former Yugoslavia;

34. Expresses its appreciation to the expert for the special process for his contribution to the eventual resolution of the problem of missing persons by his dedication to this question;

35. Reminds the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) of its responsibility to investigate enforced disappearances, enhance its cooperation with the Republic of Croatia and with the State of Bosnia and Herzegovina in tracing missing persons and to provide complete and precise information on this subject, calls upon the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to live up to its bilateral agreement with the Republic of Croatia to this effect, to accept similar bilateral arrangements with Bosnia and Herzegovina and to respond positively to the efforts of the international community, including by attending high-level intergovernmental meetings to this end;

36. Welcomes in this regard the formation of the International Commission on Missing Persons and requests that the International Commission,

the High Representative, the Special Rapporteur, and the International Committee of the Red Cross coordinate their efforts, while bearing in mind the evidentiary requirements of the Tribunal, and also bearing in mind the provisions of its resolution 1996/71 that deal with this question;

37. Specifically calls upon the countries of the mandate of the Special Rapporteur:

(a) To release immediately all individuals held as a result of, or in relation to, any conflict between or among them;

(b) To release immediately to the International Committee of the Red Cross and other relevant organizations any and all information, including, but not limited to, all medical, dental and autopsy records, necessary to resolve the fate of persons missing as a result of the conflicts between and among the parties;

(c) To cooperate fully, immediately and at the highest diplomatic levels with the International Commission, the Expert Group on Exhumations and Missing Persons of the Office of the High Representative and the Working Group on Missing Persons Chaired by the International Committee of the Red Cross in their efforts to accelerate the resolution of missing person cases and to alleviate the suffering of the families of the missing;

38. Stresses the necessity of close coordination on the issue between relevant international organizations and welcomes the commitments made by the Office of the High Representative to give priority to the question of missing persons, in particular by taking active steps to ensure that excavations and exhumations are carried out where possible;

39. Requests, in consideration of the resignation of the expert for the special process, that the Special Rapporteur, the International Committee of the Red Cross, the Office of the High Representative, the headquarters of the International Commission on Missing Persons and other relevant actors consult the expert member of the Working Group so that appropriate arrangements, including for transfer of relevant information acquired by the expert, can be made for these organizations to assume the functions concerning missing persons performed by the expert member up to the date of his resignation;

40. Calls upon the international community:

(a) To provide the appropriate financial, personnel and logistical resources so that the Office of the High Representative, the relevant

governmental institutions and other organizations entrusted with the responsibility of resolving the question of missing persons can accomplish their tasks without undue delay;

(b) To ensure that excavations and exhumations of mortal remains are undertaken in conformity with internationally accepted practice;

(c) To ensure also that excavations can continue where local authorities are prevented from carrying them out or where local authorities prevent their being carried out;

IX

Special Rapporteur

41. Requests the Special Rapporteur, in addition to the activities mandated in its resolutions 1994/72 and 1996/71:

(a) To focus her fu[illegible] activities on prevention and reporting of violations of, and lack o[illegible]tion to protect, all human rights and fundamental freedoms by governmental authorities, particularly violations that exacerbate ethnic tension, and on protecting the rights of persons belonging to minorities, women and vulnerable groups such as children and the elderly, particularly their right to return to their homes in safety and dignity;

(b) To continue to support the High Representative's efforts to report on implementation of the Peace Agreement by exchanging information and advice on the human rights situation in the territories covered by her mandate with the High Representative, the Organization for Security and Cooperation in Europe and other competent organizations, and by providing to the High Representative her recommendations concerning compliance with the human rights elements of the Agreement;

(c) To contribute to efforts to build democratic institutions and improve the administration of justice, on prevention and reporting of violations by civil authorities, particularly violations that exacerbate ethnic tension and on protecting the rights of people belonging to minorities, women and vulnerable groups such as children and the elderly, particularly their right to return to their homes in safety and dignity;

(d) To act on behalf of the United Nations in dealing with the question of the missing, including through participation in the Expert Group on Exhumations and Missing Persons of the Office of the High Representative and the Working Group on Missing Persons Chaired by the International Committee of the Red Cross and attendance at meetings of the International Commission on

Missing Persons, to contribute to a smooth transition between the mandate of the expert for the special process and the organizations to which his functions are to be transferred, and to report to the Commission on Human Rights about activities concerning missing persons in the former Yugoslavia;

(e) To provide the Commission at its fifty-fourth session her overview of the human rights situation in the territories covered by her mandate, as requested in its resolution 1996/71;

42. Decides to extend for one year the mandate of the Special Rapporteur as revised in the present resolution, and requests that she continue her vital efforts, especially by continuing to carry out missions to:

(a) Bosnia and Herzegovina;

(b) The Republic of Croatia, including Eastern Slavonia, Baranja and Western Sirmium;

(c) The Federal Republic of Yugoslavia (Serbia and Montenegro), including to Kosovo, as well as to Sandjak and Vojvodina;

and that she continue to submit periodic reports to the General Assembly and the Commission on Human Rights;

43. Requests the Special Rapporteur to provide a final report on the former Yugoslav Republic of Macedonia to the Commission no later than 30 September 1997 and decides, unless the Special Rapporteur recommends otherwise in her report, to discontinue its consideration of the former Yugoslav Republic of Macedonia upon delivery of the said report;

44. Requests the Secretary-General to continue to make the Special Rapporteur's reports available to the Security Council and to the Organization for Security and Cooperation in Europe;

45. Urges the Secretary General, from within existing resources, to make all necessary resources available for the Special Rapporteur to carry out her mandate successfully and in particular to provide her with adequate staff based in the territories covered by her mandate to ensure effective continuous monitoring of the human rights situation there and coordination with other international organizations involved.